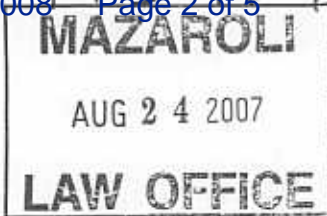


EXHIBIT 9

MAZ. AFF.



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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

MITSUI SUMITOMO INSURANCE CO., LTD.

Plaintiffs

v.

EVERGREEN MARINE CORPORATION and UNION
PACIFIC RAILROAD COMPANY

Defendants.

ECF Case

07 CV 3874
(Judge McMahon)

**UNION PACIFIC RAILROAD COMPANY'S
RESPONSE TO PLAINTIFF'S REQUEST FOR DOCUMENTS**

Defendant Union Pacific Railroad Company ("UP"), by its attorneys, Barry N. Gutterman & Associates, P.C., respond to plaintiff's Request for Production of Documents as follows:

Plaintiff's Request #1:

Each waybill, EDI waybill, bill of lading, and pro relating to the ocean carriage of the subject shipment. (This request calls for production of the front and reverse side of each such document together with any attachments and documents said to be incorporated by reference).

RESPONSE:

See #28.

Plaintiff's Request #31:

Event recorder download relating to the derailment.

RESPONSE:

See #28.

Plaintiff's Request #32:

Reports by laboratories, metallurgists, and any other entity involved in the investigation of the cause of the derailment.

RESPONSE:

See #28.

Plaintiff's Request #33:

Documents which show that UP gave the shipper, consignee, or owner of the shipment in suit the opportunity to declare the full value of the cargo and receive full value coverage as required by the Carmack Amendment to the Interstate Commerce Act of 1887 ("Carmack"), Act of June 29, 1906, ch. 3591, 34 Stat. 584 (1906) (current version at 49 U.S.C. § 11706).

RESPONSE:

None.

Plaintiff's Request #34:

Documents which show that Evergreen gave the shipper, consignee, or owner of the shipment in suit the opportunity to declare the full value of the cargo and receive full value coverage as required by the Carmack Amendment to the Interstate Commerce Act of 1887 ("Carmack"), Act of June 29, 1906, ch. 3591, 34 Stat. 584 (1906) (current version at 49 U.S.C. § 11706).

RESPONSE:

Evergreen will have to answer.

Plaintiff's Request #47:

Documents showing that Evergreen informed the shipper, consignee or owner of the shipment in suit, or any one of them, of the terms and conditions of the Exempt Rail Transportation Agreement ("ERTA") at any time prior to the derailment which is the subject of these civil actions.

RESPONSE:

Same as #46 above.

Plaintiff's Request #48:

Documents showing that UP informed the shipper, consignee or owner of the shipment in suit, or any one of them, of the terms and conditions of the Master Intermodal Transport Agreement ("MITA") at any time prior to the derailment which is the subject of this action.

RESPONSE:

MITA is on the UP website.

Plaintiff's Request #49:

Documents showing that UP informed the shipper, consignee or owner of the shipment in suit, or any one of them, of the terms and conditions of the Exempt Rail Transportation Agreement ("ERTA") at any time prior to the derailment which is the subject of this civil action.

RESPONSE:

See the ERTA and the MITA.

Plaintiff's Request #50:

Documents relating to claim payments by or on behalf of defendants for cargo damage sustained to other shipments.

Dated: New York, New York
August 23, 2007

By: /s/ Barry N. Gutterman
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UP2718 Response to Request for Documents